REMARKS

Claims in the case are 1-10, 15 and 16. Claims 1, 5 and 7 have been amended. Basis for the inclusion of --C.1-- and --C.2-- in (C) of Claim 1 is found at page 19, lines 27-28 of the specification. Additional amendments to the claims will be discussed further herein.

Claims 5 and 7 stand rejected under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

Claims 5 and 7 have been amended to include proper Markush language. In addition, Claims 5 and 7 have been amended to replace "derivatives of unsaturated carboxylic acids with --anhydrides of unsaturated carboxylic acids, and imides of unsaturated carboxylic acids--. Basis for the amendments to Claims 5 and 7 is found at: page 11, lines 15-16; and page 20, lines 15-16 of the specification.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to particularly point out and distinctly claim the subject matter which they regard as their invention. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-10 and 15-16 stand rejected under the judicially created doctrine of obviousness-type double patenting over Claims 1-12 of United States Patent No. 6,528,561 (**Zobel et al**). This rejection is respectfully traversed with regard to the following remarks.

Applicants have filed herewith a Terminal Disclaimer in the present application relative to Zobel et al. See the appendix.

In light of the Terminal Disclaimer filed herewith, Applicants submit that the non-statutory obviousness-type double patenting rejection over Zobel et al has been overcome. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 1-10 and 15-16 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting over: Claims 1-12 of copending and commonly assigned United States Patent Application Publication No. US 2002/0115759 A1 (**Eckel et al**); or Claims 1-22 of copending and commonly

assigned United States Patent Application Publication No. US 2003/0083419 A1 (**Seidel et al '419**); or Claims 1-25 of copending and commonly assigned United States Patent Application Publication No. US 2003/0092805 A1 (**Seidel et al '805**).

As these are provisional non-statutory obviousness-type double patenting rejections, Applicants choose to hold taking action relative thereto in abeyance until an indication of allowance as to the pending claims in the present case is received from the Office.

In light of the amendments herein and the preceding remarks, Applicants' presently pending claims are deemed to meet all the requirements of 35 U.S.C. §112, and to define an invention that is unanticipated, unovbious and hence, patentable. Reconsideration of the rejections and allowance of all of the presently pending claims is respectfully requested.

Respectfully submitted,

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